2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

25 May 2005

Original: English

New York, 2-27 May 2005

Report of Main Committee I

Establishment and terms of reference

1. Pursuant to rule 34 of its rules of procedure, the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons established Main Committee I as one of its three Main Committees, and decided to allocate to it the following items for its consideration (see NPT/CONF.2005/DEC.1):

Item 16. Review of the operation of the Treaty:

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues considered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolutions 255 (1968) and 984 (1995);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality. Additionally, the issue of disarmament and non-proliferation education was also dealt with under item 17.

Officers of the Committee

2. The Conference elected Ambassador Sudjadnan Parnohadiningrat (Indonesia) as the Chairman of the Committee, and Josef Vitek (Czech Republic) and Lew Kwang-chul (Republic of Korea) as Vice-Chairmen of the Committee.

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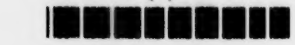

Establishment of Subsidiary Body 1

3. At its 19th plenary meeting, on 18 May 2005, the Conference decided to establish, for the duration of the 2005 Review Conference, a subsidiary body under Main Committee I, which would focus on nuclear disarmament and security assurances (see NPT/CONF.2005/DEC.2). Furthermore, the Conference decided that the subsidiary body would be open-ended, that its meetings would be held in private and that the outcome of its work would be reflected in the report of Main Committee I to the Conference. The subsidiary body was chaired by Ambassador Tim Caughley (New Zealand).

4. Accordingly, Subsidiary Body 1 held two private meetings and a number of informal meetings between 19 and 24 May 2005. The outcome of its work is contained in paragraph 9 below.

Documents before the Committee

5. The following documents were submitted to the Conference on the items allocated to the Committee:

NPT/CONF.2005/3	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Switzerland
NPT/CONF.2005/4	Implementation of article VI: report submitted by the Islamic Republic of Iran
NPT/CONF.2005/7	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Canada
NPT/CONF.2005/8	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Ukraine
NPT/CONF.2005/9	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Austria
NPT/CONF.2005/10	Implementation of article VI of the Nuclear Non-Proliferation Treaty pursuant to the Final Document of the 2000 Review Conference with particular reference to the 13 practical steps: report submitted by Argentina

NPT/CONF.2005/11*	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Spain
NPT/CONF.2005/13	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Australia
NPT/CONF.2005/14	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and the 1995 resolution on the Middle East: report submitted by Morocco
NPT/CONF.2005/16	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Poland
NPT/CONF.2005/21	National report of Cuba on the implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/22	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by the Republic of Korea
NPT/CONF.2005/23	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Lithuania
NPT/CONF.2005/24	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the People's Republic of China
NPT/CONF.2005/26	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, taking into account the conclusions in the Final Document of the 2000 Review Conference and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by the Netherlands
NPT/CONF.2005/27	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Turkey

NPT/CONF.2005/28	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Latvia
NPT/CONF.2005/29	National report on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons by the Russian Federation
NPT/CONF.2005/33	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the principles and objectives for nuclear non-proliferation and disarmament adopted in 1995: national report of Mexico
NPT/CONF.2005/34	National report of Mexico on measures taken to implement the United Nations study on disarmament and non-proliferation education
NPT/CONF.2005/36	Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Norway
NPT/CONF.2005/37	National report of Guatemala as called for in the 2000 review of the operation of the Treaty on the Non-Proliferation of Nuclear Weapons, taking into account the decisions and the resolution adopted at the 1995 Review and Extension Conference of the Parties to the Treaty, with a focus on the implementation of article VI of the Treaty and paragraphs 3 and 4 (c) of the Decision adopted in 1995 on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Guatemala
NPT/CONF.2005/38	Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by the Government of New Zealand
NPT/CONF.2005/39	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Hungary
NPT/CONF.2005/42	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Croatia
NPT/CONF.2005/43	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Brazil

NPT/CONF.2005/44	Implementation of article VI of the Treaty on Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Nigeria
NPT/CONF.2005/45	Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons: report submitted by Indonesia
NPT/CONF.2005/46	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report by Sweden
NPT/CONF.2005/48	Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament": report submitted by Italy
NPT/CONF.2005/WP.1	Verification of nuclear disarmament: final report on studies into the verification of nuclear warheads and their components: working paper submitted by the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.2005/WP.2*	Nuclear disarmament and reduction of the danger of nuclear war: working paper submitted by China
NPT/CONF.2005/WP.7*	Security assurances: working paper submitted by China
NPT/CONF.2005/WP.8	Working paper presented by the members of the Group of Non-Aligned Movement States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/WP.9	Article V, article VI and preambular paragraphs 8 to 12 [Comprehensive Nuclear-Test-Ban Treaty]: working paper for submission to Main Committee I and to Main Committee III by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden
NPT/CONF.2005/WP.17	Procedural and other arrangements for the effective and successful outcome of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper presented by the members of the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2005/WP.18	Substantive issues to be considered by Main Committee I of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons: working paper presented by the members of the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NPT/CONF.2005/WP.21**	Further measures to be taken for strengthening the Treaty on the Non-Proliferation of Nuclear Weapons, twenty-one measures for the twenty-first century: working paper submitted by Japan
NPT/CONF.2005/WP.22*	Working paper submitted by Japan
NPT/CONF.2005/WP.23	Working paper submitted by Norway: NPT — a dynamic instrument and core pillar of international security
NPT/CONF.2005/WP.24	Transparency, verification and irreversibility: essential principles in the process of nuclear disarmament: working paper by the Republic of Cuba
NPT/CONF.2005/WP.26	Proliferation security initiative: legal consequences from the standpoint of international law: working paper of the Republic of Cuba
NPT/CONF.2005/WP.27	Working paper on nuclear disarmament for Main Committee I: recommendations submitted by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, South Africa and Sweden as members of the New Agenda Coalition
NPT/CONF.2005/WP.30	Working paper on disarmament and non-proliferation education: submitted by Egypt, Hungary, Japan, Mexico, New Zealand, Peru, Poland and Sweden
NPT/CONF.2005/WP.31	Japan's efforts in disarmament and non-proliferation education: working paper submitted by Japan
NPT/CONF.2005/WP.34*	Further measures to be taken to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons regime (Main Committee I issues): working paper submitted by Japan and Australia
NPT/CONF.2005/WP.35	Working paper submitted by Belgium, Lithuania, the Netherlands, Norway, Spain, Poland and Turkey for consideration at the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2005/WP.37	European Union common approach, Cooperative Threat Reduction-Global Partnership initiative: working paper submitted by Luxembourg on behalf of the European Union
NPT/CONF.2005/WP.38	Nuclear disarmament: working paper submitted by Canada
NPT/CONF.2005/WP.39	Achieving permanence with accountability: working paper submitted by Canada
NPT/CONF.2005/WP.41	Follow-up to the Advisory Opinion of the International Court of Justice on the *Legality of the Threat of Use of Nuclear Weapons*: legal, technical and political elements required for the establishment and maintenance of a nuclear-weapon-free world: working paper submitted by Malaysia, Costa Rica, Bolivia, Democratic Republic of Timor-Leste, Nicaragua and Yemen
NPT/CONF.2005/WP.42	Views on substantive issues of the 2005 Review Conference: working paper submitted by the Republic of Korea
NPT/CONF.2005/WP.43	Working paper based on the European Union statement for Main Committee I: submitted by Luxembourg on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries Croatia and Turkey, the countries of the Stabilization and Association Process and potential candidates Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, and Serbia and Montenegro, as well as Norway, member of the European Economic Area
NPT/CONF.2005/WP.47	Working paper submitted by the Islamic Republic of Iran for Main Committee I
NPT/CONF.2005/WP.49	Working paper by the Islamic Republic of Iran on negative security assurances
NPT/CONF.2005/WP.52	Note verbale dated 20 May 2005 from the Permanent Mission of Germany addressed to the Department for Disarmament Affairs
NPT/CONF.2005/WP.57	Strengthening implementation of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States
NPT/CONF.2005/WP.58	Strengthening implementation of article III of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States

NPT/CONF.2005/WP.59	Strengthening the implementation of article X of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States
NPT/CONF.2005/WP.60	Strengthening the implementation of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons: working paper submitted by the United States

6. The following documents were submitted to the Committee on the items allocated to it:

NPT/CONF.2005/MC.I/WP.1	Fundamental elements proposed by the European Union, in conformity with Common Position adopted by the EU Council of Ministers, to be inserted in the Final Document of the 2005 NPT Conference concerning Main Committee I
NPT/CONF.2005/MC.I/WP.2	Issues to be considered by Main Committee I: working paper submitted by Nigeria
NPT/CONF.2005/MC.I/WP.3	Working paper submitted by Uganda
NPT/CONF.2005/MC.I/CRP.1	Strengthening the NPT regime: assessing comprehensive compliance and implementation: submitted by Mexico
NPT/CONF.2005/MC.I/CRP.2	Draft report of Main Committee I
NPT/CONF.2005/MC.I/CRP.3	Chairman's working paper of Main Committee I

7. The following documents were submitted to Subsidiary Body 1 of Main Committee I on the items allocated to it:

NPT/CONF.2005/MC.I/SB/CRP.1	Conference room paper submitted by Egypt
NPT/CONF.2005/MC.I/SB/CRP.2	Achievable and implementable measures towards nuclear disarmament, working paper presented by South Africa
NPT/CONF.2005/MC.I/SB/CRP.3	Text proposals to the papers of Subsidiary Body 1, Main Committee I, paper on nuclear disarmament, submitted by the Chinese delegation
NPT/CONF.2005/MC.I/SB/CRP.4	Working paper of the Chairman of Subsidiary Body 1

Work of the Committee

8. The Committee held six formal meetings and a number of informal meetings between 19 and 25 May 2005. An account of the discussions of the open meetings is contained in the relevant summary records (NPT/CONF.2005/MC.I/SR.1-4). After an initial general exchange of views on the agenda items allocated to it, the Committee considered proposals contained in the documents listed in paragraphs 5 to 7 above.

9. The Committee was not able to reach a consensus on the text of the Chairman's working paper of Main Committee I (NPT/CONF.2005/MC.I/CRP.3) and the Chairman's working paper of Subsidiary Body 1 (NPT/CONF.2005/MC.I/SB/CRP.4), as they do not reflect fully the views of all States parties. Nevertheless, the Committee agreed to annex the papers to this report.

Annex

Chairman's working paper of Main Committee I*

1. The Conference reaffirms that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament, in accordance with the relevant provisions of the Treaty.

2. The Conference underscores that the Treaty rests on three pillars: nuclear non-proliferation, nuclear disarmament and peaceful uses of nuclear energy and agrees that these pillars represent a set of interrelated and mutually reinforcing obligations and rights of States parties.

3. The Conference reaffirms that compliance and implementation of the Treaty need to be assessed comprehensively, taking into account all the pillars of the Treaty and the outcomes of the Review Conferences.

4. The Conference expresses its concern with cases of non-compliance with the provisions of the Treaty by States parties and reaffirms that the strict observance of the provisions of the Treaty remains central to achieving the shared objectives of preventing, under any circumstances, the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to international peace and security. The Conference affirms the importance of strengthening compliance with and enforcement of the Treaty's obligations.

Articles I and II and preambular paragraph 1 to 3

1. The Conference welcomes the accession of Cuba, as well as of Timor-Leste as States Parties to the Treaty, which brings the Treaty closer into its universality.

2. The Conference urges three States that have not yet adhered to the Treaty — India, Israel and Pakistan — to accede promptly to the Treaty as non-nuclear-weapon States, without condition and without delay, and to place all their nuclear facilities under comprehensive IAEA safeguards. The Conference calls upon States not party to the NPT to refrain from acts which would defeat the object and purpose of the Treaty, and to take practical steps in support of the Treaty pending their accession to it as non-nuclear-weapon States.

3. The Conference emphasizes that the full and effective implementation of the Treaty is vital to international peace and security. The Conference reaffirms that each Article of the Treaty is binding on the respective States parties at all times and in all circumstances and that it is imperative that all States be held fully accountable with respect to the strict compliance with their obligations under the Treaty.

4. The Conference recognizes that the nuclear-weapon States parties to the Treaty reaffirmed their commitment not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly, or indirectly, and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices. The Conference calls upon the nuclear-weapon States to refrain

* Previously issued as document NPT/CONF.2005/MC.I/CRP.3.

from nuclear sharing for military purposes under any kind of security arrangements, among themselves, with non-nuclear-weapon States and with States not party to the Treaty.

5. The Conference recognizes that the non-nuclear-weapon States parties to the Treaty reaffirmed their commitment not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices, or of control over such weapons or explosive devices directly, or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices. The Conference also calls upon the non-nuclear-weapon States to refrain from any activities designed to develop nuclear weapons capability.

6. The Conference reaffirms the importance of transparency and making available an exchange of information, as appropriate, among States parties on measures related to the implementation and enforcement of their obligations under articles I and II.

7. The Conference expresses grave concerns over the risk that non-State actors may acquire nuclear weapons and their means of delivery and stresses that the most effective way to address this concern is the total elimination of nuclear weapons. In this connection, the Conference notes the adoption of Security Council resolution 1540 (2004) and General Assembly resolution 59/80 as measures to prevent non-State actors from acquiring such weapons.

8. The Conference encourages States parties to consider a wide range of measures against proliferation of nuclear weapons and their means of delivery in conformity with national legislation, the principles of international law and the Charter of the United Nations.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality

The Conference recognizes the threat to international peace and security posed by proliferation of weapons of mass destruction and their means of delivery. In order to address such challenges, the Conference reaffirms its determination to preserve the integrity of and to implement fully the Treaty and to make efforts towards the achievement of the goal of universality of the Treaty.

Disarmament and non-proliferation education

1. The Conference recognizes that disarmament and non-proliferation education can ensure the continuation of institutional knowledge of those working on disarmament and non-proliferation issues and contribute to create understanding on such issues by the general public.

2. The Conference encourages States parties to undertake concrete activities to implement, as appropriate, the recommendations of the report of the United Nations Secretary-General on disarmament and non-proliferation education submitted by the Secretary-General to the General Assembly at its fifty-seventh session, and to voluntarily share information on efforts they have been undertaking in this area.

Working paper of the Chairman of Subsidiary Body 1*

Article VI and the eighth to twelfth preambular paragraphs of the Treaty

1. The Conference remains alarmed by the continued threat to humanity posed by the existence of nuclear weapons, reaffirms the need to make every effort to avert the danger to all mankind of nuclear war and nuclear terrorism and to take measures to safeguard the security of peoples.

2. The Conference recalls the Principles, Objectives and Undertakings for Nuclear Non-Proliferation and Disarmament including the principles of irreversibility, transparency, verifiability and undiminished security for all.

3. The Conference recalls the commitments to pursue effective measures and make systematic and progressive efforts to implement article VI including the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and other steps.

4. The Conference recognizes the importance of the Moscow Treaty and seeks sustained efforts to implement it, and urges its Parties to undertake the reductions by 2012 to the lowest target number of nuclear warheads and by agreed timetables.

5. Building upon the decisions taken at the 1995 and 2000 Review Conferences, the Conference urges more intensified progress by the nuclear-weapon States in reducing or continuing to reduce their non-strategic and strategic nuclear arsenals.

6. The Conference affirms the value of full implementation of the Presidential Nuclear Initiative and of the extension of such a mechanism to all States possessing non-strategic nuclear weapons.

7. Pending the achievement of nuclear disarmament, the Conference calls upon the nuclear-weapon States to resolve further to restrict the deployment of nuclear weapons, their operational readiness and their potential role as defined in national security doctrines.

8. The Conference calls on the nuclear-weapon States to forego any efforts to research and develop new types of nuclear weapons or other nuclear explosive devices.

9. In looking forward to the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the Conference welcomes efforts since 2000 against the testing of nuclear weapons or other nuclear explosive devices, including through maintenance of the existing moratoria, support for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, progress made in developing the International Monitoring System, and the increased membership of the Treaty.

10. The Conference pledges urgent efforts, especially in the Conference on Disarmament, to pursue and implement options for enhanced multilateral and other action on nuclear disarmament, including compliance aspects, and appeals to all members of the Conference on Disarmament to demonstrate the necessary flexibility to enable adoption of a programme of work that will advance crucial NPT-related tasks.

* Previously issued as document NPT/CONF.2005/MC.I/SB/CRP.4.

11. The Conference seeks affirmation by the nuclear-weapon States that they will place, as soon as practicable, fissile material designated as no longer required for weapons purposes under IAEA or other relevant international verification, and, welcoming work already undertaken on the development of verification capabilities for nuclear disarmament, urges that such work be initiated by those nuclear-weapon States not already doing so.

12. Reaffirming the importance of reporting, the Conference welcomes the reports and information submitted to the Conference and agrees to provide reports on implementation of article VI on an annual basis.

Negative security assurances

1. The Conference recognizes that assuring non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons works towards the Treaty's principle of easing international tension and strengthening trust between States, thereby advancing the non-proliferation goals of the Treaty.

2. The Conference recalls the unilateral declarations by the nuclear-weapon States as recognized by United Nations Security Council resolution 984 (1995) regarding the provision of security assurances for non-nuclear-weapon States Parties to the Treaty, and the expectations of the 1995 Review and Extension Conference and the 2000 Review Conference that further steps should be recommended to assure non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons.

3. The Conference calls upon the nuclear-weapon States to respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States Parties.

4. The Conference reaffirms that the establishment of nuclear-weapon-free zones is an effective measure towards strengthening the nuclear non-proliferation regime, acknowledges that States that engage in creating such zones enhance regional and international security while increasing levels of mutual trust.

5. The Conference welcomes the readiness of nuclear-weapon States to provide future security assurances to non-nuclear-weapon States within the context of nuclear-weapon-free-zones, and encourages further steps to be taken to bring into effect the assurances provided by nuclear-weapons-free zone treaties and their protocols.

6. The Conference recognizes that assurances against the use or threat of use of nuclear weapons are conditional and not applicable if any beneficiary is in material breach of its own non-proliferation and disarmament obligations under the Treaty.

7. The Conference agrees on the need for further work, in the context of the strengthened review process, to be undertaken during the next review period on how security assurances would be encapsulated in a legally binding instrument with a view to endorsing the outcome of these deliberations at the 2010 NPT Review Conference.